

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA

Alexandria Division

UNITED STATES OF AMERICA

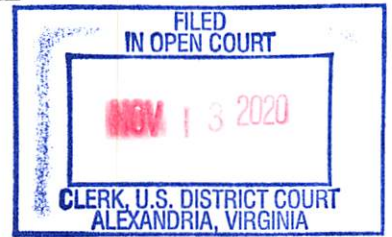
v.

APISIT LEWIS,

Defendant.

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Criminal No. 1:20cr120



CONSENT ORDER OF FORFEITURE

WHEREAS, on July 9, 2020, the defendant, Apisit Lewis, waived indictment and pleaded guilty to a single-count criminal information charging the defendant with the receipt and possession of unregistered silencers, in violation of Title 26, United States Code, Section 5861(c), and agreed to the forfeiture of all the defendant's interests in the approximately 63 unregistered and unmarked homemade silencers that are the subjects of this forfeiture order;

AND WHEREAS, the defendant agrees to waive the provisions of Federal Rules of Criminal Procedure 11(b)(1)(J), 32.2(a), 32.2 (b)(4) and 43(a) with respect to notice in the criminal information that the government will seek forfeiture as part of any sentence in this case, and that entry of this order shall be made a part of the sentence, in or out of the presence of the defendant, and included in the Judgment in this case without further order of the Court.

NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED THAT:

1. The United States of America shall forfeit, pursuant to 26 U.S.C. § 5872(a) and 28 U.S.C. § 2461(c), approximately 63 unregistered and unmarked homemade silencers seized pursuant to a federal seizure warrant executed on March 13, 2020, at the defendant's residence in Manassas, Virginia, as firearms, defined at 18 U.S.C. § 921(a)(3)(C), involved in the offense of conviction.

2. Pursuant to Fed. R. Crim. P. 32.2(B)(3), upon entry of this order, the United States is authorized to conduct any appropriate discovery including depositions, interrogatories, requests for production of documents and for admission, and pursuant to Fed. R. Civ. P. 45, the issuance of subpoenas.

3. The Attorney General, Secretary of Homeland Security, Secretary of the Treasury, or a designee, is hereby authorized to seize, inventory, and otherwise maintain custody and control of the property, whether held by the defendant or by a third party, and to conduct any discovery proper in identifying, locating or disposing of the property subject to forfeiture pursuant to Fed. R. Crim. P. 32.2 (b)(3) and 21 U.S.C. § 853(g).

4. The United States shall publish notice of this order and of its intent to dispose of the property in such manner as the Attorney General may direct, including publication on the Government's Internet site, www.forfeiture.gov, for 30 consecutive days, and to the extent practicable, provide direct written notice to any persons known to have alleged an interest in the property pursuant to Fed. R. Crim. P. 32.2(b)(6) and 21 U.S.C. § 853(n)(1) & (2).


5. This Order of Forfeiture is final as to the defendant, and shall be made part of the defendant's sentence and included in the Judgment in this case pursuant to Fed. R. Crim. P. 32.2(b)(4).

6. Any person, other than the defendant, asserting any legal interest in the property may, within thirty (30) days of the final publication of notice or his receipt of notice, whichever is earlier, petition the court for a hearing to adjudicate the validity of the alleged interest in the property pursuant to Fed. R. Crim. P. 32.2(c)(1) and 21 U.S.C. § 853(n)(2).

7. If no third party files a timely petition,, this Order shall become the Final Order of Forfeiture, and the United States shall have clear title to the property and may warrant good title to any subsequent purchaser or transferee pursuant to Fed. R. Crim. P. 32.2(c)(2) and 21 U.S.C. § 853(n)(7).

8. If this Court grants any third party rights, a Final Order of Forfeiture that amends this Order as necessary to account for said third party rights, shall be entered pursuant to Fed. R. Crim. P. 32.2(c)(2) and 21 U.S.C. § 853(n)(6).

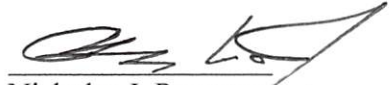
November 13 2020
Alexandria, Virginia


/s/ _____
T. S. Ellis, III
United States District Judge
United States District Judge

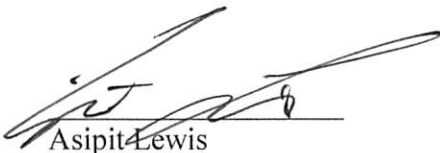
WE ASK FOR THIS:

G. Zachary Terwilliger
United States Attorney
Eastern District of Virginia

By:



Nickolas J. Patterson
Ronald L. Walutes, Jr.
Assistant United States Attorneys



Asipit Lewis
Defendant



Farheena Siddiqui, Esq.
Sam Moore, Esq.
Counsel for the Defendant